



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President McKay at 9:00 a.m. A quorum present—40:

Mr. President	Dawson	Latvala	Rossin
Bronson	Diaz de la Portilla	Laurent	Sanderson
Brown-Waite	Dyer	Lawson	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Meek	Silver
Carlton	Holzendorf	Miller	Smith
Clary	Horne	Mitchell	Sullivan
Constantine	Jones	Peaden	Villalobos
Cowin	King	Posey	Wasserman Schultz
Crist	Klein	Pruitt	Webster

PRAYER

The following prayer was offered by Lieutenant Colonel David Fuller, State Command Chaplain for the Florida National Guard, and Senior Pastor of St. Andrew's United Methodist Church, Brandon:

O Lord of light and love, we thank you for the fresh new day that lies before us. We thank you for the opportunity of living in a land where the principles of liberty, justice, dignity and responsibility guide our personal and corporate lives.

We recognize, O Lord, that the principles that guide our life as a nation must be guarded with care and diligence. We thank you for the men and women of the armed forces who stand as sturdy sentinels on the frontier of freedom. We ask you to bless them and their families for the sacrifices they make to insure that freedom and justice will remain bold beacons of hope in the 21st Century.

Lord, we thank you for the role that each of us can play as dedicated citizens in a good and gracious land. Give us insight and wisdom as we seek to serve the needs of our fellow citizens. Give us courage and faith to undertake even the most difficult issues with compassion and understanding. Unite us as a people ready to share the bounty of our blessings and the opportunity that freedom brings.

O Lord, we ask your blessing upon those who have been elected and appointed to serve over us. We pray that you will guide, guard and direct

the President of the United States, the Governor and Senate of the State of Florida, and the citizen soldiers who are poised and ready to bring safety and comfort to those in need.

Father, we ask that your special blessing and healing touch be upon Senator Pruitt's wife, Aileen, and Senator Miller's daughter, LéJean. Be with them in a special way. O Lord, we are a grateful people. Bless us with your presence now. In your name we pray. Amen.

HONOR GUARD

The Honor Guard of the Florida National Guard from St. Augustine was in the chamber bearing flags of the United States of America and the State of Florida.

The Honor Guard included the following members: Lieutenant Richard Wolf; Master Sergeant Kim Elam; Master Sergeant Emilo Gelfenstein; Sergeant First Class Shawn Gray; Staff Sergeant Dan Nester; and Sergeant Jeff Beck.

PLEDGE

Senate Pages Jacqueline Miller of Tallahassee, Yasmin Young of Havana and Brittani Faulkenberry of Cocoa, led the Senate in the pledge of allegiance to the flag of the United States of America.

RESOLUTIONS

On motion by Senator Smith—

By Senator Smith—

SR 2246—A resolution honoring the Florida National Guard and recognizing April 3, 2001, as Florida National Guard Day.

WHEREAS, the Florida National Guard is the military arm of the Governor and the people of the great State of Florida, and

WHEREAS, whenever there is a crisis or an emergency, the Florida National Guard stands ready to immediately respond to a call from the Governor, and

WHEREAS, the citizens of Florida can always be assured that, when called to protect their lives and property, the Florida National Guard will respond, prepared to accomplish any task or mission, and

WHEREAS, the Florida National Guard deployed on January 26, 2001, for Operation Swift Suppression to fight wildfires throughout the State of Florida and are still on duty, and

WHEREAS, elements of the 1st Battalion, 111th Aviation (ATK HEL) deployed on July 6, 2000, for 6 months in the continued defense of the nation of Kuwait, and

WHEREAS, the 125th Fighter Wing deployed October 17, 2000, to November 11, 2000, for Operation Southern Watch, and

WHEREAS, as the 2001 hurricane season approaches, the Florida National Guard richly deserves recognition for its past successes while its members stand ready to meet any future crisis, NOW THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes the valiant and faithful service of the members of the Florida National Guard.

BE IT FURTHER RESOLVED that the Florida Senate salutes the Florida National Guard for its significant contributions and constant readiness by recognizing April 3, 2001, as Florida National Guard Day in the state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Major General Ronald O. Harrison, Adjutant General of Florida, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Smith, **SR 2246** was read the second time in full and adopted.

SPECIAL GUESTS

The President introduced Major General Ronald O. Harrison, Adjutant General of Florida, and his wife Mysie; Brigadier General and Mrs. Jimmy Watson, Assistant Adjutant General for the Army; Brigadier General and Mrs. Douglas Burnett, Assistant Adjutant General for the Air Force; and other members of the Florida National Guard and Department of Military Affairs who were present in the gallery.

MOMENT OF SILENCE

At the request of Senator Campbell, the President asked that the Senate observe a moment of silence on behalf of the military personnel being held captive in China.

On motion by Senator Sanderson—

By Senator Sanderson—

SR 2238—A resolution recognizing the month of April 2001, as Child Abuse Prevention Month.

WHEREAS, 85,644 children in Florida were identified as having been abused or neglected in reports closed during fiscal year 1999-2000, and

WHEREAS, in 1998, 82 children died as a result of a verified finding of abuse or neglect and an additional 39 deaths showed some indication of abuse or neglect, and

WHEREAS, child abuse and neglect causes significant trauma to the abused child and society, inflicting upon children serious illness and injury resulting in physical, intellectual, and emotional impairment, or death, and

WHEREAS, abused or neglected children are at much greater risk of becoming abusive or neglectful parents, and

WHEREAS, prevention services can reduce the costs society must bear in dealing with the results of child abuse and neglect and can help children and families avoid the overburdened and expensive social welfare and criminal justice systems, and

WHEREAS, children deserve the opportunity to grow and thrive in healthful environments, free from threats of violence and harm, and

WHEREAS, during the month of April, public and private-sector agencies, child care professionals, child advocates, and residents will be increasing the public's awareness of child abuse and neglect prevention, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes April 2001, as Child Abuse Prevention Month.

BE IT FURTHER RESOLVED that the Florida Senate urges the participation and support of all persons in making a conscious effort to prevent child abuse.

—was introduced out of order and read by title. On motion by Senator Sanderson, **SR 2238** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Sanderson recognized parents who are participating in the Blue Ribbon Campaign who were present in the gallery.

DOCTOR OF THE DAY

The President recognized Dr. Frederick Southwith of Gainesville, sponsored by Senator Smith, as doctor of the day. Dr. Southwith specializes in Internal Medicine.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lee, by two-thirds vote **CS for CS for SB 248** was withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **SB 338** was withdrawn from the Committees on Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations; **SB 344** was withdrawn from the Committee on Rules and Calendar; **CS for SB 360** was withdrawn from the Committees on Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations; **CS for SB 366** was withdrawn from the Committee on Judiciary; **SB 418** was withdrawn from the Committee on Rules and Calendar; **SB 428** was withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; **CS for SB 452** was withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **CS for SJR 488** was withdrawn from the Committee on Judiciary; **SB 532** was withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; **CS for SB 650** was withdrawn from the Committee on Comprehensive Planning, Local and Military Affairs; **SB 654** was withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **CS for SB 688** was withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **SB 782** was withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **SB 814** was withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; **CS for SB 828** was withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **SB 850** was withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; **SB 916** was withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **CS for SB 992** was withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; **CS for SB 1048** was withdrawn from the Committees on Appropriations Subcommittee on Education; and Appropriations; **CS for SB 1210** was withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; and **SB 1840** was withdrawn from the Committees on Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Horne, by two-thirds vote **CS for SB 634** which has been reported favorably by the Appropriations Subcommittee on Health and Human Services with committee substitute, was withdrawn from the Committee on Appropriations and the committee substitute recommended by the subcommittee will be shown as offered by the Committee on Appropriations; and **SB 462** which has been reported favorably by the Appropriations Subcommittee on Education was withdrawn from the Committee on Appropriations.

BILLS ON THIRD READING

SB 2000—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2001, and ending June 30, 2002, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—as amended March 29 was read the third time by title.

Senator Sullivan moved the following amendment which was adopted by two-thirds vote:

Amendment 138 (995175)—

In Section: 02 On Page: 004 Specific Appropriation: 15
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Program: Education - Fixed Capital Outlay

15 In Section 02 On Page 004
Fixed Capital Outlay
Maintenance, Repair, Renovation, And
Remodeling

Insert the following new proviso as the first paragraph of proviso following Specific Appropriation 15 on page 4:

Funds in Specific Appropriation 15 for the Miami-Dade County School Board shall be placed in reserve by the Executive Office of the Governor until the Commissioner of Education certifies that conditions for the release of funds have been met. These conditions shall include a recommendation for release of funds received from a Land Acquisition and Facilities Advisory Board to be appointed by the Governor and the Legislature. Any recommendation from the Advisory Board for the release of funds shall include certification that policies established, procedures followed, and expenditures made by the Miami-Dade County School Board related to site acquisition and facilities planning and construction are consistent with recommendations of the Land Acquisition and Facilities Advisory Board and will accomplish corrective action recommended by the Office of Program Policy Analysis and Government Accountability (OPPAGA).

16 In Section 02 On Page 005
Fixed Capital Outlay
Survey Recommended Needs - Public Schools

Insert the following new proviso as the first paragraph of proviso following Specific Appropriation 16 on page 5:

Funds in Specific Appropriation 16 for the Miami-Dade County School Board shall be placed in reserve by the Executive Office of the Governor until the Commissioner of Education certifies that conditions for release of funds have been met. These conditions shall include a recommendation for release of funds received from a Land Acquisition and Facilities Advisory Board to be appointed by the Governor and the Legislature. Any recommendation from the Advisory Board for the release of funds shall include certification that policies established, procedures followed, and expenditures made by the Miami-Dade County School Board related to site acquisition and facilities planning and construction are consistent with recommendations of the Land Acquisition and Facilities Advisory Board and will accomplish corrective action recommended by the Office of Program Policy Analysis and Government Accountability (OPPAGA).

Public Schools, Division Of
Program: State Oversight & Assistance -
Public Schools

111-A In Section 02 On Page 020
Special Categories
Land Acquisition and Facilities Advisory
Board

From General Revenue Fund 250,000

Senator Clary moved the following amendment which was adopted by two-thirds vote:

Amendment 139 (995177)—

In Section: On Page: 357 Specific Appropriation:
Delete Insert

In Section On Page 357

On Page 357 and 358, DELETE:

All of Section 26.

On motions by Senator Horne, **SB 2000** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dawson	Latvala	Rossin
Bronson	Diaz de la Portilla	Laurent	Sanderson
Brown-Waite	Dyer	Lawson	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Meek	Silver
Carlton	Holzenhof	Miller	Smith
Clary	Horne	Mitchell	Sullivan
Constantine	Jones	Peaden	Villalobos
Cowin	King	Posey	Wasserman Schultz
Crist	Klein	Pruitt	Webster

Nays—None

DISCLOSURES

Pursuant to Senate Rule 1.39, and in an abundance of caution, I am disclosing that the current Senate budget contains funding for the City of West Miami for a waste water project. My father is the City Attorney for City of West Miami.

J. Alex Villalobos,
Senator, 37th District

In an abundance of caution, pursuant to Senate Rule 1.39, I am disclosing that there are several places in SB 2000 that Nova Southeastern University is designated as the recipient of funds appropriated by the Legislature.

I am a salaried employee of, and the Director of Career Placement for, the Health Professions Division of Nova Southeastern University.

As directed by Senate Rule and as permitted by law, once disclosed, it is my duty to vote on the General Appropriations Bill.

Debbie Wasserman Schultz,
Senator, 32nd District

SB 2002—A bill to be entitled An act implementing the 2001-2002 General Appropriations Act; providing legislative intent; providing for allocation of moneys provided for workforce development and providing for budget amendment when a program is moved; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 2001-2002 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; amending s. 409.905, F.S.; prescribing conditions upon which an adjustment in a hospital's inpatient per diem rate may be based; amending s. 216.177, F.S.; providing notice requirements for the Department of Children and Family Services with respect to transferring portions of district budgets; amending s. 409.915, F.S.; exempting counties from contributing toward the increased cost of hospital inpatient services due to elimination of Medicaid ceilings on certain types of hospitals and for special Medicaid reimbursements to hospitals; revising the level of county participation; prohibiting the Agency for Health Care Administration from adjusting premiums paid to health maintenance organizations or prepaid health care plans due to elimination of Medicaid ceilings on certain types of hospitals and special Medicaid payments to hospitals; amending s. 409.904,

F.S.; revising eligibility requirements for certain medical assistance payments; amending s. 409.905, F.S.; prescribing additional limitations that may be placed on hospital inpatient services under Medicaid; amending s. 409.906, F.S.; revising standards for payable intermediate care services; amending s. 409.908, F.S.; revising standards, guidelines, and limitations relating to reimbursement of Medicaid providers; amending s. 409.91195, F.S.; providing for a restricted drug formulary applicable to Medicaid providers; amending s. 409.912, F.S.; prescribing additional services that the Agency for Health Care Administration may provide through competitive bidding; authorizing the agency to establish, and make exceptions to, a restricted drug formulary; amending s. 409.904, F.S.; providing additional limitations on services that may be furnished to medically needy patients; amending s. 409.913, F.S.; requiring the Agency for Health Care Administration to implement a pilot program to prevent Medicaid fraud and abuse with respect to pharmaceuticals; amending s. 409.906, F.S.; providing for reimbursement and use-management reforms with respect to community mental health services; amending s. 409.912, F.S.; authorizing the agency to contract with children's clinic networks for certain purposes; amending s. 409.9122, F.S.; providing for disproportionate assignment of certain Medicaid-eligible children to children's clinic networks; providing for the assignment of certain Medicaid recipients to managed care plans; amending s. 409.904, F.S.; providing for the Agency for Health Care Administration to pay for specified cancer treatment; amending s. 39.3065, F.S.; prescribing responsibility of the Seminole County Sheriff with respect to child protective investigations; amending s. 414.045, F.S.; revising reporting requirements with respect to the cash assistance program; providing legislative intent and directives with respect to community-based care initiatives; requiring the availability of certain funds for the temporary assistance for needy families program; authorizing a transfer of funds between the Department of Children and Family Services and the Department of Juvenile Justice relating to transfer of staff between the departments; amending s. 318.21, F.S.; distributing a portion of the civil penalties paid to the county courts to the state courts system instead of the Department of Children and Family Services for administrative, training, and other costs associated with the implementation and maintenance of Florida foster care citizen review panels; amending s. 925.037, F.S.; providing that the state courts system shall allocate conflict counsel funds among certain counties; amending s. 25.402, F.S.; revising membership of the County Article V Trust Fund advisory committee; revising uses of the fund; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; amending ss. 938.01, 943.25, F.S.; providing for deposit of certain funds for use by the Department of Law Enforcement, rather than the Department of Community Affairs; providing for future reversion to current text; transferring the Criminal Justice Program from the Department of Community Affairs to the Department of Law Enforcement; transferring the Prevention of Domestic and Sexual Violence Program from the Department of Community Affairs to the Department of Children and Family Services; providing matching funds for the administration of such program; directing Enterprise Florida, Inc., to operate sister-city and sister-state programs according to specified standards; authorizing Enterprise Florida, Inc., to contract for the implementation of Florida's international volunteer corps; authorizing the Department of Community Affairs to use specified methods to issue notices of intent; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; providing for deposit and use of such fees; amending s. 259.101, F.S.; requiring appropriations from the Florida Preservation 2000 Trust Fund to the Save Our Everglades Trust Fund for land acquisition; providing for disposition and use of certain moneys accruing to the Florida Forever Trust Fund; amending s. 259.105, F.S.; deleting a restriction on use of moneys allocated under the Florida Forever Act to the South Florida Water Management District; amending s. 403.709, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; amending s. 403.7095, F.S., relating to the solid waste management grant program; requiring a specified level of funding for counties receiving solid waste management and recycling grants; amending s. 373.59, F.S.; requiring release of certain moneys by the Secretary of Environmental Protection to water management districts, upon request; amending s. 252.373, F.S.; authorizing the use of certain funds to improve local disaster preparedness; amending s. 110.12315, F.S.; providing copayment requirements for the state employees' prescription drug program; providing for a preferred brand name drug list to be used in the administration of such program; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; providing for future repeal of various provisions; providing effect of veto of specific appropriation or

proviso to which implementing language refers; providing applicability to other legislation; incorporating by reference specified performance measures and standards directly linked to the appropriations made in the 2001-2002 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing severability; providing an effective date.

—as amended March 29 was read the third time by title.

On motions by Senator Horne, **SB 2002** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dawson	Latvala	Rossin
Bronson	Diaz de la Portilla	Laurent	Sanderson
Brown-Waite	Dyer	Lawson	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Meek	Silver
Carlton	Holzendorf	Miller	Smith
Clary	Horne	Mitchell	Sullivan
Constantine	Jones	Peaden	Villalobos
Cowin	King	Posey	Wasserman Schultz
Crist	Klein	Pruitt	Webster

Nays—None

MOTIONS

On motions by Senator Horne, the House was requested to pass **SB 2000** as amended and **SB 2002** as amended and, in the event the House fails to pass the Senate bills, that a conference committee be appointed.

Senator Horne moved that Rule 2.19(2) be waived to allow Senate Budget Conferees on **SB 2000** as amended and **SB 2002** as amended, the latitude to deal with additional issues which may develop in conference. The motion was adopted.

SB 946—A bill to be entitled An act relating to the Key Largo Hammock State Botanical Site; changing the name of the site; providing an effective date.

—as amended March 29 was read the third time by title.

On motion by Senator Diaz de la Portilla, **SB 946** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dawson	Laurent	Sanderson
Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Horne	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	Webster
Crist	Latvala	Rossin	

Nays—None

On motion by Senator Campbell, by two-thirds vote **CS for HB 215** was withdrawn from the Committee on Judiciary.

On motion by Senator Campbell, by two-thirds vote—

CS for HB 215—A bill to be entitled An act relating to parental rights; amending s. 61.13, F.S.; providing that specified rights apply to both parents; providing an effective date.

—a companion measure, was substituted for **SB 98** as amended and read the second time by title. On motion by Senator Campbell, by two-

thirds vote **CS for HB 215** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dawson	Latvala	Rossin
Bronson	Diaz de la Portilla	Laurent	Sanderson
Brown-Waite	Dyer	Lawson	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Meek	Silver
Carlton	Holzendorf	Miller	Smith
Clary	Horne	Mitchell	Sullivan
Constantine	Jones	Peaden	Villalobos
Cowin	King	Posey	Wasserman Schultz
Crist	Klein	Pruitt	Webster

Nays—None

CS for SB 252—A bill to be entitled An act relating to release of employee information by employers; providing specified requirements of employers with respect to a background investigation of an applicant for employment or appointment as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer; providing requirements relating to an authorization to release information; defining the terms “employing agency” and “employment information”; providing for injunctive relief; providing qualified immunity from civil liability for release; providing for fees to cover certain costs incurred by the employer; providing an effective date.

—as amended March 29 was read the third time by title.

On motion by Senator King, **CS for SB 252** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dawson	Latvala	Rossin
Bronson	Diaz de la Portilla	Laurent	Sanderson
Brown-Waite	Dyer	Lawson	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Meek	Silver
Carlton	Holzendorf	Miller	Smith
Clary	Horne	Mitchell	Sullivan
Constantine	Jones	Peaden	Villalobos
Cowin	King	Posey	Wasserman Schultz
Crist	Klein	Pruitt	Webster

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Campbell, by two-thirds vote **SB 1432** was withdrawn from the committees of reference and further consideration.

On motion by Senator Lee, by two-thirds vote **SB 904** was withdrawn from the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar; and referred to the Committees on Health, Aging and Long-Term Care; Governmental Oversight and Productivity; and Rules and Calendar; and **SB 2028** was withdrawn from the Committees on Criminal Justice and Judiciary and referred to the Committees on Judiciary and Criminal Justice.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 4, 2001: CS for CS for SB 1214, CS for CS for SB 870, CS for SB 208, SB 150, CS for SB 788, CS for SB 178, SB 648, SB 426, SB 418, CS for SB 778, CS for SB 746, CS for SB 1788, CS for SB 836, SB 1094, CS for SB 1398, CS for SB 1052, SB 1372, CS for SB 1524, SB 854, CS for SB 1030, SB 1564, CS for SB 240, CS for SB 888, SB 676, SB 1066, CS for SB 1274, SB 308, SB 412, SB 1942, SB 1786

Respectfully submitted,
Tom Lee, Chairman

The Committee on Criminal Justice recommends the following pass: SB 698, SB 1430 with 1 amendment

The bills were referred to the Appropriations Subcommittee on Public Safety and Judiciary under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 26, SB 32 with 3 amendments, SB 56, SB 58 with 1 amendment, SB 66 with 1 amendment, SB 800

The bills were referred to the Committee on Finance and Taxation under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 2006

The bill was referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 1450

The bill was placed on the calendar.

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 1122

The bill with committee substitute attached was referred to the Appropriations Subcommittee on General Government under the original reference.

The Committee on Children and Families recommends a committee substitute for the following: SB 1056

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1216

The Committee on Transportation recommends a committee substitute for the following: SB 1068

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.

The Committee on Children and Families recommends a committee substitute for the following: SB 1290

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 1138

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Children and Families recommends committee substitutes for the following: SB 1286, SB 1346

The bills with committee substitutes attached were referred to the Committee on Health, Aging and Long-Term Care under the original reference.

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 152

The bill with committee substitute attached was referred to the Committee on Rules and Calendar under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Garcia—

SB 2120—A bill to be entitled An act relating to the efficient administration of government; amending s. 373.083, F.S.; authorizing water management districts to solicit donations; amending s. 373.085, F.S.; authorizing water management districts to limit permit durations; amending s. 373.093, F.S.; authorizing water management districts to lease certain personal property; creating s. 373.608, F.S.; authorizing water management districts to obtain and enforce patents, copyrights, and trademarks; creating s. 373.610, F.S.; allowing water management districts to bar from future contracts contractors who have defaulted in the past; creating s. 373.611, F.S.; authorizing water management districts to limit or alter damages in certain vendor contracts; amending s. 712.04, F.S.; excluding property of water management districts from operation of the Marketable Record Title Act; providing an effective date.

—was referred to the Committees on Natural Resources; Governmental Oversight and Productivity; and Judiciary.

By Senator Holzendorf—

SB 2170—A bill to be entitled An act relating to public records; providing exemption from public-records requirements for documents, materials, or other information furnished to the Department of Insurance by insurers, producers, or their agents or employees or obtained by the department pursuant to certain investigations; providing for future review and repeal; prohibiting the department, its employees, or its agents from testifying in a private civil action concerning such information; authorizing the department to disclose the information under specified conditions; providing that such disclosure does not waive the protected person's privilege; providing that nothing in the act prohibits the department from releasing adjudicated actions available to the public to the National Association of Insurance Commissioners and its affiliates; providing findings of public necessity; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Productivity; and Rules and Calendar.

By Senators Sullivan, Crist and Miller—

SB 2172—A bill to be entitled An act relating to state universities; amending s. 240.209, F.S.; increasing certain student fees; amending s. 240.235, F.S.; requiring the approval of certain student fee modifications, rather than just increases, by certain committees; changing language to conform with other provisions of the bill; creating s. 240.236, F.S.; providing for the establishment of student governments at each state university with the authority to establish certain procedures and to provide for the election or removal of student government officers; providing powers and duties; providing for suspension or removal from office under certain circumstances; amending s. 240.295, F.S.; requiring the approval of projects to be funded from Capital Improvement Trust Fund fees or building fees by committees partially appointed by the student government president; amending s. 240.531, F.S.; conforming language to other provisions of the act and Florida law; repealing s. 240.136, F.S., relating to the removal and suspension of student government officers; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Holzendorf—

SB 2174—A bill to be entitled An act relating to insurance; amending s. 624.318, F.S.; requiring access to records by the department; repealing s. 624.501(11) and (23), F.S.; repealing provisions establishing specified fees; amending s. 626.112, F.S.; prohibiting certain activities that constitute solicitation of insurance by unlicensed persons; amending s. 626.171, F.S.; revising agent application requirements; creating s. 626.202, F.S.; requiring fingerprinting of specified persons; amending s. 626.431, F.S.; extending the nonappointment period to 48 months; amending s. 626.521, F.S.; requiring certain information upon demand of the department; amending s. 626.541, F.S.; requiring notification to the department of certain name changes and other information; amending s. 626.5715, F.S.; removing a requirement that the Department of Insurance adopt rules to assure parity of regulation; providing that the Insurance Code applies to all transactions; amending s. 626.601, F.S.; revising a confidentiality provision; amending s. 626.611, F.S.; prohibiting the sale of unregistered securities; amending ss. 626.741, 626.792, 626.835, F.S.; limiting the authority of certain nonresident licenses to that granted by the resident state; amending s. 626.8427, F.S.; revising provisions governing the duration of licenses; amending s. 626.856, F.S.; revising the definition of the term "company employee adjuster"; amending s. 626.872, F.S.; limiting the term of a temporary adjuster's license; amending s. 626.873, F.S.; revising a catchline regarding nonresident company adjusters; amending s. 627.927; limiting an experience requirement for surplus lines agents; extending a renewal grace period; creating s. 626.9531, F.S.; requiring the identification of certain persons in advertisements and other communications; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Finance and Taxation.

By Senator Clary—

SB 2176—A bill to be entitled An act relating to access to health care; creating s. 456.40, F.S.; providing legislative intent with respect to patients' access to complementary or alternative health care treatment, as defined; prescribing standards for communicating the offer of complementary or alternative health care treatment; requiring keeping of certain records; amending s. 381.026, F.S.; including access to complementary or alternative health care among the rights to which a patient is entitled; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Peadar—

SB 2178—A bill to be entitled An act relating to public meetings and public records; creating s. 414.295, F.S.; providing an exemption from public meetings requirements for any staff meeting, or portion thereof, of the Department of Children and Family Services, the Agency for Workforce Innovation, Workforce Florida, Inc., The Department of Management Services, the Department of Health, the Department of Revenue, the Department of Education, or a regional workforce board, or their contract service providers, at which certain identifying information regarding temporary cash assistance programs, which is restricted pursuant to requirements of federal law, is discussed; providing an exemption from public records requirements for certain identifying information in such entities' records of such programs; authorizing release of confidential information for specified purposes; providing a prohibition; providing procedures for release of information under specified circumstances; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Children and Families; Governmental Oversight and Productivity; and Rules and Calendar.

SR 2180—Not referenced.

By Senator Lawson—

SB 2182—A bill to be entitled An act relating to the State Council on Competitive Government; amending s. 14.203, F.S.; providing definitions; requiring the council to direct the Office of Program Policy Analysis and Government Accountability and the Director of Efficiency and Enterprise Development of the office of planning and budgeting in the Executive Office of the Governor to review and report on all requests for proposals, invitations to bid, invitations to negotiate, or contracts issued by state agencies that propose the privatization of funded government; requiring state agencies to submit certain privatization proposals to the council; providing considerations and criteria for review and report; providing circumstances for competition with private sources or other state agency service providers; requiring a contract entered into by an executive branch agency to include a statement of contingent effect; providing for open meetings and records; providing that a vendor must be a domiciled state corporation or have a significant business presence in the state; providing a definition; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Productivity; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on General Government; and Appropriations.

SR 2184—Not referenced.

SR 2186—Introduced and adopted March 29.

By Senator Holzendorf—

SB 2188—A bill to be entitled An act relating to education; creating the “Education Investment Act”; providing definitions; providing legislative intent for certain investments and enhancements; authorizing certain programs; authorizing improved curriculum; requiring improved counseling ratios in certain schools; authorizing academic preparation tools, including test preparation study skills and advanced writing programs for certain students; authorizing the development of programs through the Internet; providing for separation of open enrollment programs within schools for certain purposes; authorizing expanded student assistance programs at universities; authorizing fee waivers for students and former students of certain schools; authorizing rules of the Department of Education; authorizing state-funded test-preparation courses for certain students; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Klein—

SB 2190—A bill to be entitled An act relating to the state group health insurance and prescription drug programs; authorizing school districts to apply for participation; providing eligibility requirements for enrollment; exempting the program from ss. 624.436-624.446, F.S., relating to multiple-employer welfare arrangements; authorizing the Department of Management Services to adopt rules; providing a conditional effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Education; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Holzendorf—

SB 2192—A bill to be entitled An act relating to nursing homes; amending s. 400.23, F.S.; requiring rules providing staffing requirements for nursing homes; providing minimum ratios of certified nursing assistants to residents; providing applicability of requirements; requir-

ing that certain information be posted in each facility; amending s. 400.063, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Dyer, Dawson, Lawson, Miller, Rossin, Wasserman Schultz, Campbell and Klein—

SB 2194—A bill to be entitled An act relating to elections; providing legislative findings; requiring supervisors of elections to conduct voter-education projects; requiring reports to the Division of Elections; prescribing duties of the division; providing an appropriation; prescribing duties of the State Board of Education with respect to civic and voter education; providing an effective date.

—was referred to the Committees on Ethics and Elections; Education; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Smith—

SB 2196—A bill to be entitled An act relating to elections; abolishing the Florida Elections Commission and transferring its powers, duties, functions, and assets to the Florida Commission on Ethics; renaming the Elections Commission Trust Fund as the Elections Trust Fund; amending ss. 99.092, 99.093, 99.0955, 102.112, 104.271, 104.42, 105.031, 105.071, 106.03, 106.04, 106.06, 106.07, 106.085, 106.087, 106.141, 106.22, 106.24, 106.25, 106.26, 106.29, 106.35, F.S., to conform; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Holzendorf and Horne—

SB 2198—A bill to be entitled An act relating to wetland mitigation; creating s. 373.4139, F.S.; providing definitions; authorizing the mitigation of wetland and surface water impacts resulting from the Better Jacksonville Plan through the acquisition of lands for preservation and through wetland restoration, enhancement, and creation projects of regional environmental benefit; providing legislative intent with respect to such mitigation; specifying areas to be afforded preference as mitigation areas; authorizing the City of Jacksonville and the St. Johns River Water Management District to jointly determine other areas to be afforded preference as mitigation lands; providing sources of funds for wetland and surface water mitigation; providing procedure with respect to land acquisition; requiring the preparation of an inventory of wetland and surface water resources to be impacted; providing for annual updating of the inventory; specifying inventory contents; requiring the district to develop a mitigation plan annually; requiring annual approval of a conceptual plan for mitigating impacts contained in the inventory by the governing board of the district; providing that approval of the conceptual plan creates a presumption that the mitigation contained therein satisfies the mitigation permitting requirements of ch. 373, F.S.; requiring the district to forward copies of the conceptual plan to, and seek to obtain formal concurrence of, specified federal agencies; providing procedure and requirements with respect to wetland and surface water mitigation; specifying powers of the district with regard to permitting; providing funding requirements; requiring specified deposits by permittees; authorizing the district and the City of Jacksonville to enter into certain agreements; authorizing the district to enter into certain contracts; providing specified powers of the district; providing procedure in the event that conceptual mitigation plans are not approved or adopted; authorizing exclusion of certain projects from the conceptual plan; providing construction; amending s. 373.4135, F.S.; providing nonapplicability to the provisions of s. 373.4139 with respect to the required establishment

of specified environmental creation, preservation, enhancement, and restoration projects; providing an effective date.

—was referred to the Committees on Natural Resources; Comprehensive Planning, Local and Military Affairs; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

SR 2200—Not referenced.

By Senator Saunders—

SB 2202—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; revising criteria for firefighters' membership in the special risk class; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Sebesta—

SB 2204—A bill to be entitled An act relating to a road designation; designating a portion of I-275 in Pinellas County as the "St. Petersburg Parkway"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Sebesta—

SB 2206—A bill to be entitled An act relating to motorcycles; amending s. 316.211, F.S.; requiring an insurance decal on specified license plates; authorizing law enforcement to stop persons riding a motorcycle without protective headgear to show proof of compliance with specified insurance requirements; providing penalties; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Sebesta—

SB 2208—A bill to be entitled An act relating to real property; amending s. 197.402, F.S.; reducing the number of times a tax collector must advertise the sale of real property that is subject to delinquent taxes; providing a form; amending s. 197.403, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Campbell—

SB 2210—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 20.165, F.S.; removing a reference to the Florida Board of Auctioneers; combining the Barbers' Board and the Board of Cosmetology; revising minimum requirements for the number of consumer members on professional licensing boards; eliminating a reference to the Board of Funeral Directors and Embalmers; amending s. 110.205, F.S.; specifying positions that are exempt from the career service system; amending ss. 326.002, 326.003, 326.004, 326.006, F.S.; transferring the regulation of yacht and ship brokers and salespersons from the Division of Land Sales, Condominiums, and Mobile Homes to the Division of Professions; revising penalty provisions; requiring that all funds collected pursuant to the regulation

be deposited into the Professional Regulation Trust Fund; amending s. 455.213, F.S.; providing that all applications for licensure be prescribed by the department; providing for the electronic submission of information to the department; providing that all legal obligations must be met before the renewal or issuance of a license; amending s. 468.381, F.S.; revising the purpose of regulating auctioneering; amending s. 468.382, F.S.; revising definitions; amending ss. 468.385, 468.3851, 468.3852, F.S.; providing for registration in lieu of licensure; amending s. 468.386, F.S.; revising fee authority and providing for local regulation; amending s. 468.388, F.S.; revising requirements for the conduct of auctions; amending s. 468.389, F.S.; making violations a deceptive and unfair trade practice; providing penalties; amending s. 468.391, F.S.; conforming penalty provisions; repealing ss. 468.384, 468.3855, 468.387, 468.392, 468.393, 468.394, 468.395, 468.396, 468.397, 468.398, 468.399, F.S.; abolishing the Florida Board of Auctioneers; providing for the use of funds; providing for the continuation of legal proceedings; amending ss. 468.401, 468.402, 468.403, 468.404, 468.406, 468.407, 468.412, 468.413, 468.414, 468.415, F.S.; providing for registration of talent agencies in lieu of licensure; conforming provisions; providing for remedies under the Unfair and Deceptive Trade Practices Act; repealing ss. 468.405 and 468.408, F.S.; relating to qualifications of talent agencies and bonding requirements; amending s. 468.609, F.S.; authorizing direct supervision by building direct supervision of code administrators by telecommunications devices in certain localities under specific circumstances; amending s. 468.617, F.S.; requiring the payment of costs for applicants who fail to appear for scheduled examinations; amending s. 469.001, F.S.; transferring the regulation of asbestos abatement from the Department of Business and Professional Regulation to the Department of Environmental Protection; amending s. 255.552, F.S.; transferring the asbestos management program from the Department of Labor and Employment Security to the Department of Environmental Protection; amending ss. 255.553, 255.5535, 255.555, 255.556, 255.557, 255.562, 255.563, 255.565, F.S.; conforming provisions; saving existing rules and legal proceedings; amending s. 470.002, F.S.; redefining the term "department" to refer to the Department of Banking and Finance and the term "board" to refer to the Board of Funeral and Cemetery Services; repealing s. 470.003, F.S., relating to the Board of Funeral Directors and Embalmers; redesignating s. 455.2226, F.S., as s. 470.0205, F.S., relating to instruction on human immunodeficiency virus and acquired immune deficiency syndrome and amending to conform; amending ss. 470.015, 470.018, 470.036, F.S., conforming provisions; saving all related administrative rules; transferring the regulation of funeral directing, embalming, and direct disposition from the Department of Business and Professional Regulation to the Department of Banking and Finance; placing the regulation under the Board of Funeral and Cemetery Services; abolishing the Board of Funeral Directors and Embalmers; amending s. 471.025, F.S.; allowing for more than one type of seal to be used by professional engineers; amending s. 476.034, F.S.; redefining the term "board"; amending s. 476.054, F.S.; creating the Board of Barbering and Cosmetology; amending s. 476.064, F.S.; conforming provisions; amending s. 477.013, F.S.; defining the term "board"; repealing s. 477.015, F.S., relating to the Board of Cosmetology; abolishing the Barbers' Board and the Board of Cosmetology; providing savings clauses for rules and legal actions; amending s. 477.019, F.S.; eliminating a requirement for refresher courses and examinations for failure to comply with continuing education requirements; amending s. 477.026, F.S.; providing authority for registration renewal and delinquent fees; amending s. 489.105, F.S.; redefining the term "contractor"; amending s. 489.107, F.S.; reducing the number of members on the Construction Industry Licensing Board; eliminating reference to divisions of the board; relocating the offices of the board; amending s. 489.113, F.S.; expanding permitted scope of practice of a general, building, or residential contractor regarding the installation or repair of certain roofing materials; creating s. 489.1135, F.S.; providing for temporary certificates; amending s. 489.115, F.S.; eliminating references to divisions of the Construction Industry Licensing Board; amending s. 489.507, F.S.; reducing the number of members on the Electrical Contractors' Licensing Board; abolishing a joint committee; amending s. 489.511, F.S.; revising provisions relating to licensure by endorsement; amending ss. 498.005, 498.019, 718.103, 718.501, 718.509, 719.103, 719.501, 721.05, 721.26, 721.28, 721.301, 723.003, 723.006, 723.09, F.S.; reassigning the regulation of land sales from the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Real Estate; requiring all funds collected by the department pursuant to the regulation of land sales to be deposited in the Professional Regulation Trust Fund; renaming the Division of Florida Land Sales, Condominiums, and Mobile Homes as the Division of Condominiums, Timeshare,

and Mobile Homes; renaming the Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund as the Division of Condominiums, Timeshare, and Mobile Homes Trust Fund; conforming provisions; repealing s. 718.1255, F.S., relating to requirements governing the arbitration of certain condominium and cooperative association disputes; amending ss. 718.112, 718.501, 719.106, 719.501, F.S.; conforming provisions; reducing fees paid by condominium and cooperative associations; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Campbell—

SB 2212—A bill to be entitled An act relating to workers' compensation; amending s. 440.15, F.S.; substantially revising provisions governing compensation for disability; providing guidelines relating to permanent total disability, to temporary total disability, to permanent partial disability, to temporary partial disability, and to subsequent injury; providing consequences if an employee refuses or leaves employment; amending s. 440.34, F.S.; substantially revising provisions relating to attorney's fees and costs; providing that reasonable attorney's fees must be awarded to a claimant, as specified; providing penalties for violations; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Economic Opportunities; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Burt—

SB 2214—A bill to be entitled An act relating to tobacco-settlement agreements; amending s. 215.5601, F.S.; defining the term "participating manufacturer"; revising legislative intent; specifying procedures by which a tobacco manufacturer may become a participating manufacturer; providing for signatories to a specified settlement agreement to be participating manufacturers; providing for funds received from participating manufacturers to be deposited into the Tobacco Settlement Clearing Trust Fund; providing for a portion of unappropriated funds to be deposited into the Lawton Chiles Endowment Fund; amending s. 210.02, F.S.; imposing a price-equalization assessment on cigarettes not manufactured by a participating manufacturer, as defined by the act; providing for calculating the amount of the assessment; amending s. 210.20, F.S.; providing for the deposit of proceeds of the assessment; amending ss. 17.41, 20.435, 215.5602, F.S., relating to the Tobacco Settlement Clearing Trust Fund, the Biomedical Research Trust Fund, and the Florida Biomedical Research Program; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Regulated Industries; and Finance and Taxation.

By Senators Lawson and Diaz de la Portilla—

SB 2216—A bill to be entitled An act relating to the food stamp program; amending s. 414.31, F.S.; providing a methodology for valuing vehicles as assets for purposes of food stamp eligibility; providing rule-making authority; providing a deadline for implementation; providing an effective date.

—was referred to the Committees on Children and Families; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Rossin—

SB 2218—A bill to be entitled An act relating to public records; amending s. 624.319, F.S.; exempting work papers relating to examinations and investigations of insurers from public records requirements;

providing legislative findings; providing for future review and repeal of the exemption; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Posey—

SB 2220—A bill to be entitled An act relating to copyrighted materials; creating s. 119.084, F.S.; providing for copyrights to software materials created by local governments; providing for fees for use of such materials; providing for access to public records contained in copyrighted materials; prohibiting contracts relating to public records databases when the contracts impair access to public records; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Governmental Oversight and Productivity; and Finance and Taxation.

SR 2222—Introduced and adopted March 29.

By Senator Clary—

SB 2224—A bill to be entitled An act relating to workers' compensation; transferring the Division of Workers' Compensation from the Department of Labor and Employment Security to the Department of Insurance; providing exceptions; transferring various functions, powers, duties, personnel, and assets relating to workers' compensation to the Department of Education, the Agency for Health Care Administration, and the Department of Insurance; amending s. 20.13, F.S.; creating the Division of Workers' Compensation in the Department of Insurance; amending s. 20.171, F.S.; deleting the Division of Workers' Compensation from the Department of Labor and Employment Security; amending s. 440.015, F.S.; designating state agencies to administer the workers' compensation law; amending s. 440.02, F.S.; providing definitions; amending ss. 440.021, 440.05, 440.09, 440.10, 440.102, 440.103, 440.105, 440.106, 440.107, 440.108, 440.125, 440.13, 440.134, 440.14, 440.15, 440.17, 440.185, 440.191, 440.192, 440.1925, 440.20, 440.207, 440.211, 440.24, 440.25, 440.271, 440.345, 440.35, 440.38, 440.381, 440.385, 440.40, 440.41, 440.42, 440.44, 440.49, 440.491, 440.50, 440.51, 440.52, 440.525, 440.572, 440.59, 440.591, 440.593, 468.529, 626.88, 626.989, 627.0915, 627.914, F.S., to conform to the transfers made by this act; providing for the continuation of contracts and agreements; providing for substitution of a successor agency as a party in judicial and administrative proceedings; providing severability; amending s. 624.3161, F.S.; providing for market conduct examinations with respect to workers' compensation; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Holzendorf—

SB 2226—A bill to be entitled An act relating to insurance coverage for nursing homes and assisted living facilities; amending s. 627.351, F.S.; providing that nursing homes and assisted living facilities are immediately eligible for coverage in the Florida Property and Casualty Joint Underwriting Association; providing that rates used by the association are subject to s. 27.062, F.S.; eliminating provisions tying the initial rates of the association to rates contained in the Insurance Services Office filing with the Department of Insurance; creating the Long-Term-Care-Facility Casualty Joint Underwriting Plan; providing for participation in the plan by casualty insurers; creating and providing for operation of the plan by the Long-Term-Care-Facility Casualty Joint Underwriting Association; providing for membership of the association; providing for coverage of certain long-term-care facilities for death and personal injury claims of residents arising out of activities of nursing homes and assisted living facilities; providing for classification of risks and rates; providing coverage limits and a deductible; providing for a

risk-management program; providing for assessments of insureds and participating insurers for deficits under certain circumstances; providing for service of policies; providing for public access to records; providing eligibility criteria for coverage; requiring insureds to provide evidence of financial responsibility; providing for service of process; providing appropriations; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health, Aging and Long-Term Care; Finance and Taxation; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Holzendorf—

SB 2228—A bill to be entitled An act relating to public-records exemptions; exempting from the public-records law certain claim file records pertaining to the Long-Term-Care-Facility Joint Underwriting Association; providing for future review and repeal; providing findings of public necessity; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health, Aging and Long-Term Care; Governmental Oversight and Productivity; and Rules and Calendar.

SR 2230—Not referenced.

By Senator Silver—

SB 2232—A bill to be entitled An act relating to health care; amending s. 456.072, F.S.; requiring disclosure of training in health care advertisements and relationships; amending s. 458.309, F.S.; establishing criteria for approved board certification; amending s. 458.331, F.S.; requiring disclosure of training in advertisements and informed-consent forms; amending s. 459.005, F.S.; establishing criteria for approved board certification; amending s. 459.015, F.S.; requiring disclosure of training in advertisements and informed-consent forms; providing an effective date.

—was referred to the Committee on Health, Aging and Long-Term Care.

By Senator Garcia—

SB 2234—A bill to be entitled An act relating to insurance; amending s. 627.351, F.S.; renaming the Residential Property and Casualty Joint Underwriting Association as the Citizens Property Insurance Corporation to provide residential and commercial property insurance through a public benefits corporation; requiring insurers writing property insurance to participate in the corporation; providing for dividing the revenues, assets, liabilities, losses, and expenses of the corporation into three accounts; providing for emergency assessments for policyholders of participating insurers; providing a plan of operation; providing for a board of governors; providing that the corporation is not required to obtain a certificate of authority from the Department of Insurance; providing that the corporation is not required to be a member of the Florida Insurance Guaranty Association; requiring the corporation to pay assessments pledged by the association to secure bonds to pay covered claims arising from insurer insolvencies caused by hurricane losses; providing for transfer of policies of the association and the Florida Windstorm Underwriting Association to the corporation; providing for a transfer of assets and liabilities; requiring the associations to take actions necessary to further such transfers; providing that such transfers do not affect the coverage of "covered policies;" providing for the redesignation of certain coverage as the high-risk account of the corporation; providing that such account be treated as if it were a separate participating insurer for certain purposes; providing that the personal lines and commercial lines accounts be treated as a single participating insurer for certain purposes; providing that the department may postpone the October 1, 2001, effective date of transfer under the act; providing legislative intent not to interfere with the rights of creditors, to preserve the obliga-

tion of the association, and to assure that outstanding financing agreements pass unchanged to the corporation; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Productivity; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Ethics and Elections; and Senators Dawson, Campbell and Miller—

CS for SB 152—A bill to be entitled An act relating to elections; amending s. 97.041, F.S.; providing for automatic restoration of former felons' right to vote following completion and satisfaction of sentence of incarceration and community supervision; providing conditions on such automatic restoration; amending ss. 97.052, 97.053, 98.0975, F.S., to conform; providing a conditional effective date.

By the Committee on Appropriations; and Senators Clary and Cown—

CS for SB 634—A bill to be entitled An act relating to nursing homes; amending s. 400.141, F.S.; prescribing duties of nursing homes with respect to influenzae and pneumococcal polysaccharide vaccinations; providing an appropriation; providing an effective date.

By the Committee on Children and Families; and Senator Dawson—

CS for SB 1056—A bill to be entitled An act relating to the care of children; amending s. 39.5085, F.S., relating to the Relative Caregiver Program; revising eligibility guidelines; amending s. 230.2305, F.S., relating to the prekindergarten early intervention program; revising the list of eligible children to include otherwise eligible children for whom the state is paying a relative caregiver payment; amending s. 239.117, F.S., relating to workforce development postsecondary student fees; exempting from the payment of specified fees otherwise eligible students for whom the state is paying a relative caregiver payment; amending ss. 240.235, 240.35, F.S.; exempting certain children in the custody of a relative from payment of postsecondary undergraduate fees; requiring the Department of Children and Family Services to contract for a study of relative caregiver families; requiring a report to be submitted to the Department of Children and Family Services and the Legislature; providing an effective date.

By the Committee on Transportation; and Senator Sebesta—

CS for SB 1068—A bill to be entitled An act relating to highway safety, motor vehicles, and vessels; amending s. 316.003, F.S.; defining the term "motorized scooter"; amending s. 316.1945, F.S.; revising provisions relating to the parking of vehicles in specified areas; amending s. 316.1951, F.S.; revising provisions regulating removal of certain unlawfully parked vehicles; amending s. 316.1975, F.S.; revising provisions relating to unattended motor vehicles; amending s. 316.2065, F.S.; providing motorized scooter operating regulations; amending s. 316.228, F.S.; revising provisions relating to the use of lamps on vehicles transporting certain loads; amending s. 316.520, F.S.; revising penalties for violation of load limits on vehicles; exempting certain vehicles carrying agricultural products from load limits; amending s. 316.640, F.S.; revising the powers and duties of traffic crash investigation officers; amending s. 318.1451, F.S.; requiring governmental entities and courts to maintain information on driver improvement schools; revising the duties of the Department of Highway Safety and Motor Vehicles; amending s. 319.001, F.S.; revising definitions with respect to component parts of motor vehicles; amending s. 319.14, F.S.; revising provisions relating to the sale of certain vehicles; authorizing the Department of Highway Safety and Motor Vehicles to affix a decal on rebuilt vehicles; redefining the term "assembled from parts" and deleting the term "combined"; providing a penalty for the removal of decals designating rebuilt vehicles; amending s. 319.23, F.S.; revising provisions relating to the transfer of ownership of an antique vehicle; amending s. 319.27, F.S.; revising

provisions with respect to the filing of liens on motor vehicles and mobile homes; amending s. 319.28, F.S.; revising requirements relating to the transfer of ownership by operation of law; amending s. 319.30, F.S.; redefining the terms "major component part"; providing standards for the sale of certain vehicles; amending s. 320.01, F.S.; providing that a motorized scooter is not a motor vehicle for registration purposes; conforming the length limitation for a motor home to that established in s. 316.515, F.S.; amending s. 320.023, F.S.; conforming provisions to the Florida Single Audit Act; amending s. 320.025, F.S.; revising provisions relating to the issuance of confidential registration certificates and license plates; amending s. 320.05, F.S.; revising provisions relating to vessel registration records; amending s. 320.055, F.S.; revising registration periods for certain vehicles; amending s. 320.06, F.S.; providing for the placement of registration validation stickers; amending s. 320.0605, F.S.; revising provisions relating to fleet vehicles and registration certificates; amending s. 320.072, F.S.; revising provisions relating to the exemption of certain registration fees; amending s. 320.0805, F.S.; revising provisions relating to the issuance of personalized license plates; amending s. 320.08056, F.S.; providing for the exemption of certain collegiate specialty license plates from sales requirements; amending s. 320.08062, F.S.; conforming provisions to the Florida Single Audit Act; amending s. 320.083, F.S.; revising vehicle weight restrictions relating to the amateur radio operator's license plate; amending s. 320.089, F.S.; revising vehicle weight restrictions relating to the Ex-POW and Purple Heart license plates; amending s. 320.18, F.S.; providing for cancellation of a license and fuel use decal for failure to pay motor carrier weight and safety violation penalties; amending s. 320.27, F.S.; redefining the term "motor vehicle auction"; revising requirements relating to motor vehicle dealers; defining the term "bona fide employee"; revising grounds for denial, suspension, or revocation of a dealer license; amending s. 322.01, F.S.; providing that a motorized scooter is not a motor vehicle for driver's licensing purposes; amending s. 322.0261, F.S.; requiring the department to regulate and approve certain courses for driver improvement schools; amending s. 322.05, F.S.; conforming a statutory cross-reference; amending s. 322.081, F.S.; conforming provisions to the Florida Single Audit Act; amending s. 322.095, F.S.; requiring the Department to approve and regulate certain courses for driver improvement schools; amending s. 322.126, F.S.; revising provisions relating to the reporting of a disability to the department; creating s. 322.222, F.S.; authorizing the department to conduct hearings for medical review cases; amending s. 322.2615, F.S.; revising provisions relating to temporary driving permits; amending s. 322.27, F.S.; revising provisions relating to the revocation of license for habitual traffic offenders; amending s. 322.28, F.S.; deleting obsolete provisions; repealing s. 322.282, F.S., which prescribes procedures governing certain court-ordered reinstatements of a driver's license or driving privilege; amending s. 322.292, F.S.; revising requirements relating to the operation of DUI programs; repealing s. 322.331, F.S., relating to the restoration of the license of habitual traffic offenders; amending s. 322.61, F.S.; revising provisions relating to the disqualification from operating a commercial motor vehicle; amending s. 322.64, F.S.; revising provisions relating to commercial vehicle operators and driving under the influence; amending s. 324.091, F.S.; providing for electronic access to vehicle insurance information; amending s. 328.01, F.S.; revising requirements relating to the application for certificate of title; amending s. 328.42, F.S.; revising provisions relating to the payment of certain transactions by dishonored check; amending s. 328.56, F.S.; revising provisions relating to the display of vessel registration numbers; amending s. 328.72, F.S.; revising requirements relating to the transfer of an antique vessel; amending s. 328.76, F.S.; providing for an annual appropriation to the Highway Safety Operating Trust Fund; amending s. 681.1096, F.S.; extending the pilot program an additional period; amending s. 681.1097, F.S.; providing for technical corrections to an arbitrator's decision; prescribing guidelines for appealing an arbitrator's decision; amending s. 713.78, F.S.; providing for the notification of insurers when a vehicle is towed; revising requirements for selling an unclaimed vehicle or vessel; repealing s. 715.05, F.S., relating to the reporting of unclaimed motor vehicles; amending s. 715.07, F.S.; redefining the term "vessel"; providing for the removal of undocumented vessels from private property; amending s. 832.09, F.S.; providing for the use of a standardized form in reporting certain information to the department; providing effective dates.

By the Committee on Ethics and Elections; and Senators Posey, Brown-Waite, Dyer, Lawson, Bronson, Sebesta, Smith and Constantine—

CS for SB 1122—A bill to be entitled An act relating to election recounts; amending s. 97.021, F.S.; defining the terms "overvote" and "undervote"; amending s. 101.5614, F.S.; clarifying the standard for counting votes on spoiled ballots; clarifying the timing of official election returns; amending s. 102.141, F.S.; modifying deadlines for submitting unofficial returns; revising requirements for an automatic machine recount; amending s. 102.166, F.S.; substantially modifying standards and procedures for manual recounts; providing an effective date.

By the Committee on Ethics and Elections; and Senator Jones—

CS for SB 1138—A bill to be entitled An act relating to elections; prohibiting a member of the Elections Canvassing Commission or a member of a county canvassing board from rendering a post-election decision that may affect the outcome of any race in which the member publicly endorsed or solicited contributions; providing an effective date.

By the Committee on Commerce and Economic Opportunities—

CS for SB 1216—A bill to be entitled An act relating to economic development; amending s. 212.08, F.S.; revising certain procedures and conditions relating to the sales tax exemption for enterprise-zone building materials and business property; extending the community contribution tax credit provisions of the enterprise zone program to the state sales tax; amending s. 212.096, F.S.; redefining the terms "eligible business" and "new employee"; defining the terms "jobs" and "new job has been created"; revising the computation procedures of the enterprise-zone jobs credit against sales tax; amending s. 212.098, F.S.; redefining the term "eligible business"; qualifying certain communities within a rural area of economic critical concern to participate in the rural job tax credit program; providing for reduction or waiver of certain financial match requirements in rural areas by Rural Economic Development Initiative agencies and organizations; amending s. 220.03, F.S.; redefining the terms "new employee" and "project"; defining the terms "new job has been created" and "jobs"; amending s. 220.181, F.S.; revising the computation procedures of the enterprise-zone job credit against the corporate income tax; amending s. 220.183, F.S.; revising the eligibility, application, and administrative requirements of the community contribution corporate income tax credit program; increasing the limitation on annual credits; amending s. 288.018, F.S.; revising administration and uses of the Regional Rural Development Grants Program; creating s. 288.019, F.S.; providing for a review and evaluation process of rural grants by Rural Economic Development Initiative agencies; amending s. 288.065, F.S.; expanding the scope of the Rural Community Revolving Loan Fund Program; amending s. 288.0656, F.S.; revising the membership of the Rural Economic Development Initiative; requiring an annual designation of staff representatives; amending s. 288.1088, F.S.; expanding eligible uses of the Quick Action Closing Fund; amending s. 288.9015, F.S.; revising the responsibilities of Enterprise Florida, Inc., relating to rural and distressed urban communities; directing Enterprise Florida, Inc., to develop a plan for marketing programs and initiatives designed to enhance conditions in economically distressed communities; specifying components of such plan; requiring development of and reporting on performance measures; requiring coordination with agencies and organizations; directing Enterprise Florida, Inc., to combine and leverage the use of certain programs to benefit economically distressed communities; amending s. 290.004, F.S.; defining the term "rural enterprise zone"; amending s. 290.0065, F.S.; providing for certain rural enterprise zones; conforming agency references to changes in program administration; authorizing the Office of Tourism, Trade, and Economic Development in consultation with Enterprise Florida, Inc., to develop guidelines relating to the designation of enterprise zones; eliminating certain authority for the office to change enterprise zone boundaries; providing for municipalities in certain counties to change the boundaries of enterprise zones; amending s. 290.0066, F.S.; prescribing circumstances under which designation of an enterprise zone must be revoked; creating s. 290.00676, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to amend the boundaries of a rural enterprise zone and providing requirements with respect thereto; creating s. 290.00677, F.S.; modifying the employee residency requirements for the

enterprise-zone job credit against the sales tax and corporate income tax if the business is located in a rural enterprise zone; creating s. 290.00694, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to designate rural champion communities as enterprise zones; providing requirements with respect thereto; providing for designation of a specified area within Hillsborough County as an enterprise zone; amending s. 290.007, F.S.; revising the list of enterprise zone incentives to reflect the creation of a community contribution sales tax credit program; amending s. 290.015, F.S.; transferring responsibility for creating the research design for review of the Enterprise Zone Act to Enterprise Florida, Inc.; providing for review of enterprise zones by the Auditor General and a recommendation of zones the designation of which should be revoked; amending s. 290.048, F.S.; authorizing the Department of Community Affairs to establish advisory committees and solicit participation related to the department's administration of the Small Cities Community Development Block Grant Loan Guarantee Program; repealing s. 290.049, F.S., which provides for the creation of the Community Development Block Grant Advisory Council; repealing s. 370.28(4), F.S., which provides conditions for tax incentives in enterprise zone net-ban communities; amending s. 420.503, F.S.; revising the definitions of the terms "elderly" and "housing for the elderly" under the Florida Housing Finance Act; amending s. 420.507, F.S.; authorizing the Florida Housing Finance Corporation to create a recognition program to support affordable housing; amending s. 420.5088, F.S.; revising authority and eligibility criteria for certain loans made by the Florida Housing Finance Corporation under the Florida Homeownership Assistance Program; amending s. 420.5092, F.S.; increasing the amount of revenue bonds that may be issued under the Florida Affordable Housing Guarantee Program; amending s. 624.5105, F.S.; increasing the annual limitation on community contribution tax credits; conforming definitions; revising eligibility and administrative requirements; amending s. 163.356, F.S.; authorizing certain counties or municipalities to create more than one community redevelopment agency under specified conditions; conforming provisions; revising the number of members on community redevelopment boards in certain municipalities; providing an appropriation; providing effective dates.

By the Committee on Children and Families; and Senator King—

CS for SB 1286—A bill to be entitled An act relating to the Lawton Chiles Endowment Fund; amending ss. 17.41, 20.435, F.S.; conforming statutory cross-references; amending s. 215.5601, F.S.; providing legislative intent to provide funds for the support of public health and biomedical research; revising procedures for the administration of the endowment fund; revising provisions concerning the availability and use of funds from the endowment; establishing an advisory council; amending s. 215.5602, F.S.; providing for public health and biomedical research; providing an appropriation; providing an effective date.

By the Committee on Children and Families; and Senator Campbell—

CS for SB 1290—A bill to be entitled An act relating to children; creating as a pilot program an Office of Counsel for Children in the tenth regional district of the Department of Children and Family Services to represent the legal interests of children in out-of-home care pursuant to court order; providing an administrative counsel for the office; specifying qualifications; placing the office in the Department of Legal Affairs for budget purposes; requiring the court to appoint the office to represent the legal interests of the child continued in out-of-home care; providing for appointment by the Governor; providing duties of the Office of Counsel for Children; providing that a child may not waive the right to counsel supplied by the office; providing that the office is substituted for the department in dependency cases when appointed by the court; requiring a report to the Legislature and the Governor; requiring the office to conduct an evaluation of the pilot program with a report to the Legislature and Governor; providing for the expiration of the pilot program; amending s. 39.013, F.S.; providing that time limitations under ch. 39, F.S., do not include continuances requested by any party; providing limitations on continuances; amending s. 39.402, F.S.; providing that time limitations governing placement of a child in a shelter do not include continuances requested by any party; providing limitations on continuances; amending s. 39.506, F.S.; eliminating the requirement for a court's continued review of a child's placement in a shelter; amending s. 39.601, F.S.; modifying case-plan requirements; requiring the department to adopt rules governing the content and format of case plans;

amending s. 39.602, F.S.; eliminating certain criteria in case plans when parents do not participate and the child is in out-of-home care; providing an effective date.

By the Committee on Children and Families; and Senator Saunders—

CS for SB 1346—A bill to be entitled An act relating to behavioral health care service; amending s. 394.66, F.S.; providing legislative intent; creating s. 394.741, F.S.; requiring the Agency for Health Care Administration and the Department of Children and Family Services to accept accreditation in lieu of its administrative and program monitoring under certain circumstances; amending s. 394.90, F.S.; requiring the Agency for Health Care Administration to accept accreditation in lieu of its onsite licensure reviews; amending s. 397.411, F.S.; requiring the Department of Children and Family Services to accept accreditation in lieu of its onsite licensure reviews; amending s. 397.403, F.S.; conforming provisions; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Investment Advisory Council Appointees: Dahl, James H., Jacksonville Nast, Donald A., Tallahassee	12/12/2004 12/12/2004
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc. Appointee: Wallace, Derrick D., Orlando	09/30/2003
Withlacoochee Regional Planning Council, Region 5 Appointee: Gabriel, Patricia R., Ocala	10/01/2001
Florida Commission on Veterans' Affairs Appointee: Dozier, James L., North Ft. Myers	11/16/2005
Governing Board of the Northwest Florida Water Management District Appointees: Hughes, Stephanie C., Panama City Beach Petermann, Richard P., Ft. Walton Beach	03/01/2002 03/01/2005
Governing Board of the South Florida Water Management District Appointees: Brooks-Thomas, Pamela D., Lauderhill Lindahl, Lennart E., Tequesta	03/01/2002 03/01/2005
Governing Board of the Southwest Florida Water Management District Appointees: Chance, Edward W., Palmetto Dominguez, Margarita N., Tampa Johnson, Ronald C., Lake Wales	03/01/2005 03/01/2005 03/01/2005
Hillsborough River Basin Board of the Southwest Florida Water Management District Appointee: Baldwin, Martha Jane, Brooksville	03/01/2004
Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District Appointee: Fischer, Rodney S., Palm Harbor	03/01/2003

[Referred to the Committee on Ethics and Elections.]

**MESSAGES FROM THE HOUSE OF
REPRESENTATIVES****RETURNING MESSAGES—FINAL ACTION**

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has passed SB 544, SB 546, SB 548, SB 558, SB 560, SB 562, SB 564, SB 566, SB 568, SB 572, SB 574, SB 576, SB 578, SB 580, SB 582, SB 584, SB 586, SB 590, SB 592, SB 594, SB 596, SB 598, SB 600, SB 602, SB 604, SB 606, SB 608, SB 610, SB 612, SB 614 and SB 616 by the required Constitutional three-fifths vote of the membership of the House.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

JOINT SELECT COMMITTEE APPOINTED

The President announced the appointment of Senator Garcia, Co-Chair; Senators Lawson and Sanderson to the Joint Select Committee on Collective Bargaining.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 29 was corrected and approved.

CO-SPONSORS

Senators Bronson—SJR 1768; Campbell—SB 964, SB 1834; Carlton—SB 2114; Constantine—CS for SB 1116, CS for SB 1118, CS for SB 1120, CS for SB 1122; Klein—SB 256, SB 1160, SB 1324, SB 1826; Mitchell—SM 2134; Peaden—SB 2114; Sanderson—CS for SB 1758; Sebesta—SB 234; Webster—SB 2054

RECESS

On motion by Senator Lee, the Senate recessed at 9:54 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:45 a.m., Wednesday, April 4.

SENATE PAGES

April 2-6

Michael Bisceglia, Longwood; Sharika Ceaser, Tallahassee; Brittani Faulkenberry, Cocoa; Daniel Glinn, Miami; James "Noland" Greene, Madison; Derek Jones, Miami; Durel Jones, Miami; Tony Lindle, Gainesville; Kirbi Long, Naples; Erin McIntosh, Spring Hill; Nicole McNight, Rockledge; Jacqueline Miller, Tallahassee; Julia Mitchell, Altamonte Springs; Ashley Palmer, Bradenton; Jennifer "Jenny" Peterson, Tallahassee; Heather Rissinger, Cocoa; Daniel Rodriguez, Miami Beach; Monique Wells, Tallahassee; Yasmin Young, Havana